

DD/A Registry

Approved For Release 2002/01/08 : CIA-RDP81-00142R000200110001-0

DDA 77-3802

1 JUL 1977

MEMORANDUM FOR: Deputy Director of Central Intelligence

FROM : John F. Blake
Deputy Director for Administration

SUBJECT : Status Report - Development of Regulations
Relating to CIA Relationships with the
Academic Community

1. In your memorandum of 29 January 1977 dealing with the IG Survey of the DDS&T, you stated that the DDA should establish a task force chaired by a DDA representative and composed of representatives of the concerned Agency components to deal with the subject of developing a consolidated CIA regulatory issuance governing the Agency's relationships with the academic community.

STATINTL 2. Such a task force was established under the chair-
manship of [REDACTED] of my staff. This task force
began meeting in February 1977 and dealt with the defini-
tions and scope of activities which it would be proper for
the proposed Agency regulation to cover. It was determined
that even these areas proposed significant problems and that
STATINTL our progress toward developing a consolidated regulation
would be slow.

[REDACTED]

4. As you are aware, the [REDACTED] guidelines affair took more time than was anticipated. As a result, the task force was delayed. Now that the [REDACTED] matter has been dealt with, we are picking up the pace. The task force met during the week of 20 June and is scheduled to meet again on 6 July to discuss a proposed regulation which has been drafted. We have established 29 July as a goal to present to you a coordinated Agency regulation dealing with this matter. We are aware of the external pressures which relate to this matter and the need for timely response. Nonetheless, we feel that to shorten the deadline would increase the risk of an inadequate regulation being provided for your consideration.

STATINTL

STATINTL

/s/ John F. Blake

John F. Blake

STATINTL

AI/DDA [REDACTED] ydc (1 July 1977)

Distribution:

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1 - ER

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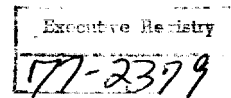
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FILE

DDA 77-5188

21 SEP 1977



MEMORANDUM FOR: Director of Central Intelligence

VIA : Acting Deputy Director of Central Intelligence

FROM : Michael J. Malanick
Acting Deputy Director for Administration

SUBJECT : Regulations on CIA Relationships with the Academic
Community

STATINTL

1. Action Requested: Your signature on the attached addition to [REDACTED] (Restrictions on Intelligence Activities) concerning relationships with academe and an implementing handbook, [REDACTED]

STATINTL

STATINTL

2. Background: In response to IG recommendations resulting from the survey of the DDS&T, a task force was formed to develop a CIA regulation governing Agency relationships with the academic community. The task force began its work in February of this year and incorporated the [REDACTED] dialogue and subsequent Agency policy into its deliberations.

STATINTL

3. Basic Data: The attached regulation provides general guidance on relationships with the academic community. It is unclassified on the assumption that the policy will be made public. The implementing handbook, [REDACTED], goes into detail on the restrictions in this area, defining terms and distinguishing categories of relationships. [REDACTED] does not include the restrictions pertaining to operational activity since that information is classified and more appropriately covered in the newly revised [REDACTED] "Restrictions on Operational Use of Certain Categories of Individuals or Occupations."

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STATINTL

4. Staff Position: All directorates, OGC and a representative from the DDCI staff participated in the discussions and concurred in the draft.

5. Recommendation: Your signature is requested on the attached regulatory issuances enunciating Agency policy as regards relationships with academe.

/s/ Michael J. Malanick

Michael J. Malanick

STATINTL

Attachments:



HQ. INSTRUCTION SHEET

STATINTL

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STATINTL

REMOVE			INSERT			EXPLANATION
REG. NOS.	PAGE NOS.	DATE	REG. NOS.	PAGE NOS.	DATE	
	8	4/19/76		8		<div></div> is added to include policy regarding relationships with the academic community.
<p>Arrows in the page margin show the locations of the changes described above.</p>						

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MANAGEMENT Approved For Release 2002/01/08 : CIA-RDP81-00142R00020 [REDACTED]

77-2379/1

1. RESTRICTIONS ON INTELLIGENCE ACTIVITIES

- a. GENERAL - No change
- b. DEFINITIONS - No change
- c. POLICY

3 OCT 1977

(1) through (7) - No change

(8) PROVISIONS RELATING TO OTHER ACTIVITIES

(a) through (m) - No change

(n) Academic Community. CIA may enter into classified and unclassified contracts and other arrangements with United States academic institutions of higher learning as long as senior management officials of the institution concerned are made aware of CIA's sponsorship. CIA may enter into personal services contracts and other continuing relationships with individual full-time staff and faculty members of such institutions but in each case will suggest that the individual advise an appropriate senior official thereof of his CIA affiliation, unless security considerations preclude such a disclosure or the individual objects to making any third party aware of his relationship with CIA. No operational use will be made either in the United States or abroad of staff and faculty members of United States academic institutions on an unwitting basis. CIA employees will not represent themselves falsely as employees of United States academic institutions. CIA personnel wishing to teach or lecture at an academic institution as an outside activity must disclose their CIA affiliation to appropriate academic authorities; all such arrangements require approval in advance from the Director of Security. Pursuant to Federal law, CIA will neither solicit nor receive copies of identifiable school records relating to any student (regardless of citizenship) attending a United States academic institution without the express authorization of the student or, if the student is below the age of 18, his parents. For a detailed explanation of the policies and procedures outlined above, see [REDACTED]

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/s/ Stansfield Turner

STANSFIELD TURNER
Director

STATINTL

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INFORMATION SHEET

Chapter I provides information concerning CIA relationships with the academic community.

Chapter I is the first chapter published in [REDACTED] Restrictions on Intelligence Activities. Other chapters will be added as appropriate.

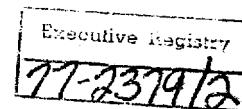
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Approved For Release 2002/01/08 : CIA-RDP81-00142R0002

FOREWORD



3 OCT 1977

FOREWORD

This handbook sets forth the procedures to be followed concerning "Restrictions on Intelligence Activities."

/s/ Stansfield Turner

STANSFIELD TURNER
Director

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CHAPTER I: ACADEMIC RELATIONS

1. GENERAL

Since its inception, CIA has sought and benefited from extensive relationships with scholars and academic institutions throughout the United States. Leading scholars and some of their best pupils have brought a high degree of intellectual energy, curiosity, and integrity to our profession and have made sure that our analytical efforts continually take account of the best research available in the private sector. Many of the components and practices of the intelligence profession have been built on academic models. American scholars who have been willing to share information and interpretations of developments in the international arena have contributed valuably to intelligence support of the United States foreign policymaking process. Without the continuing assistance of the academic community, our ability to provide the President and other senior officials with objective and enlightened analyses and estimates would be hampered. It remains in the best interests of both the intelligence and academic communities to expand and refine their contacts in a spirit of mutual respect and understanding.

2. DEFINITIONS AND LIMITATIONS

- a. ACADEMIC INSTITUTION means any United States college, university or other institution of higher learning that conducts classes for credit and confers degrees.
- b. ENTITIES AFFILIATED WITH ACADEMIC INSTITUTIONS include institutes, centers, or other entities that derive a major share of their financing, staff, information, support or other services from an academic institution. They may be separately located or incorporated. They may provide some services that are not strictly academic or scholarly, although their main objectives should be in these areas.
- c. FACULTY AND STAFF mean full-time employees of academic institutions, including employees who are on sabbatical or on leaves of absence for definite periods. Visiting lecturers, part-time instructors, or other individuals who do not derive their main source of employment or income from an academic institution are not included. Students attending United States academic institutions, regardless of their citizenship, are also excluded.

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d. PERSONAL SERVICES CONTRACTS AND OTHER CONTINUING ARRANGEMENTS cover individuals who are CIA independent contractors, contract employees, or consultants, as well as those faculty or staff members who perform tasks or provide information to the Agency on more than a one-time basis with or without compensation. Contacts between the [REDACTED] and cooperating United States academicians are not included in this definition. The policies and practices established in this paragraph apply only to contracts and arrangements directly between CIA and an academic institution. They do not apply to such individuals who are retained in the performance of a contract that the institution or other entity has with the Agency.

e. THE APPROPRIATE SENIOR MANAGEMENT OFFICIAL of an academic institution is a person who supervises the staff or faculty member and is in a responsible management position at the institution.

3. CONTRACTS WITH ACADEMIC INSTITUTIONS

a. CIA is authorized to enter into classified and unclassified contracts and other arrangements with academic institutions in the United States to provide research, analytical and developmental services, and specialized expertise in the furtherance of the Agency's mission. These services may be based on classified or unclassified materials.

b. In all such cases Agency sponsorship must be made known to the president or chief executive officer of the academic institution, to the senior project official(s), and, as appropriate, to other senior officials.

c. If an academic institution performs services for the Agency on an indirect basis as a subcontractor, consultant to contractors, or in some other manner and the circumstances of the arrangement are such that CIA participates in the selection or approval of the use of the institution, then appropriate officials of the institution must be made aware of the Agency's involvement.

d. When United States academic institutions utilize individual faculty or staff members to provide services in support of or in fulfillment of a contractual agreement with CIA, it is Agency policy that the individuals normally should be made aware of CIA sponsorship. Such notification is the responsibility of appropriate officials of the academic institution and the manner of and exceptions to such notification will be left to the discretion of these officials.

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4

4. CONTRACTS WITH RESEARCH INSTITUTES, CENTERS, AND OTHER ENTITIES AFFILIATED WITH THE UNITED STATES ACADEMIC INSTITUTIONS
 - a. CIA may enter into classified and unclassified contracts and other arrangements with research institutes, centers, and other entities affiliated with United States academic institutions to provide research, analytical and developmental services, and specialized expertise in the furtherance of the Agency's mission.
 - b. The Agency prefers that the president or chief executive officer of the academic institution be advised of contractual relationships between affiliated institutes, centers, or other entities and CIA.
 - c. When an institute, center, or other entity is only loosely affiliated* with a United States academic institution, or if it operates on a profitmaking basis, the decision concerning whether and in what manner to inform senior officials of the academic institution of a relationship with CIA should be left to the discretion of the chief executive officer of the research entity.
5. PERSONAL SERVICE CONTRACTS AND OTHER CONTINUING ARRANGEMENTS WITH FACULTY AND STAFF MEMBERS OF UNITED STATES ACADEMIC INSTITUTIONS
 - a. Each individual staff or faculty member of a United States academic institution entering into a personal services contract or other continuing arrangement with CIA will be reminded that, depending upon the rules of the institution, he or she may wish to advise an appropriate senior management official of the institution of his or her affiliation with the Agency.
 - b. This does not apply when:
 - (1) An Operating Official determines, with the concurrence of the appropriate Deputy Director, that security or operational considerations preclude such a disclosure in a given case, or

*"Loosely affiliated" in this context refers to research entities that derive a substantial portion of their income or operating funds from sources outside of the academic institution, operate with a charter or act of incorporation that establishes them as autonomous or semiautonomous entities, conduct research and perform other services with only partial reliance on the information and other tangible support of the academic institution, or meet a major portion of their personnel payroll from independently derived funds.

- (2) The individual staff or faculty member objects to making any third party aware of his or her relationship with CIA.
- c. With the exception noted in 5b above, the decision concerning whether and in what manner to inform senior officials of a relationship with CIA will be left to the discretion of individual scholars.
6. CIA ACCESS TO ACADEMIC RECORDS
- a. BACKGROUND. Pursuant to the Family Educational Rights and Privacy Act (20 U.S.C. 1232g), academic institutions are prohibited from allowing access by any person or agency to school records of a student without the express written permission of the student or, if the student is under the age of 18, his or her parents. School records include personally identifiable data such as academic achievement records, test scores, family background information, health data, teacher or counselor ratings and observations, reports of behavior patterns, and similar type information. The law makes no distinction as to the nationality of the student and therefore includes non-U.S. persons.
- b. POLICY. Agency representatives must neither solicit nor receive, directly or indirectly, a student's school records as defined in paragraph a above without the express authorization of the student or his or her parents. CIA representatives are further precluded from accepting any such records that are voluntarily offered by officials of the academic institution concerned without the required authorization by the student or his or her parents.
- c. LIMITATIONS. The prohibition set forth in this paragraph covers only access to identifiable school records. It does not preclude the receipt of basic biographical or other factual information, as well as subjective assessments, relating to a student if orally conveyed by an official of an academic institution and based on the official's personal knowledge, provided that the official is first made aware that he is dealing with a CIA representative (this proviso does not apply to Office of Security investigations where Agency or U.S. Government interest should not be revealed). Lists of students and student directory-type information apparently do not come within the purview of the law. Nevertheless, Agency representatives must defer to the views of the institution or official thereof in each case regarding the statute's applicability to such lists and information as outlined in this paragraph. Agency representatives must refrain from any attempts to persuade

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an otherwise reluctant official of an academic institution to provide to the Agency any factual data relating to any student or otherwise engage in a debate with the official over applicability of the act to certain types of information.